

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

JEFFREY L. BURTCH, CHAPTER 7 )  
TRUSTEE, FACTORY 2-U STORES, INC., )  
*et al.*, )

Plaintiff, )

v. )

MILBERG FACTORS, INC., CAPITAL )  
FACTORS, INC., THE CIT GROUP/ )  
COMMERCIAL SERVICES, INC., )  
GMAC COMMERCIAL FINANCE LLC, )  
HSBC BUSINESS CREDIT (USA) INC., )  
ROSENTHAL AND ROSENTHAL, INC., )  
STERLING FACTORS CORPORATION, )  
WELL FARGO CENTURY INC., )

Defendants. )

C.A. No. 07-556 (LPS)

**PROPOSED ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2007, having considered the motion of Defendants GMAC Commercial Finance LLC and Sterling Factors Corporation dismissing the Complaint, the Motion is GRANTED in its entirety, and the Complaint is dismissed with prejudice.

IT IS SO ORDERED.

---

United States District Judge